

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA :
 :
 v. : Criminal Case No. DKC 10-0051
 :
 TOUMANI TOURAY THOMAS :
 :

**ORDER ON MOTION FOR SENTENCE REDUCTION
UNDER 18 U.S.C. § 3582(C)(1)(A) (Compassionate Release)**

Upon consideration of the motion filed by the Defendant Toumani Touray Thomas for a reduction in sentence under 18 U.S.C. § 3582(c)(1)(A), and after considering the applicable factors provided in 18 U.S.C. § 3553(a) and the applicable policy statements issued by the Sentencing Commission, it is this 17th day of December, 2020, ORDERED that:

1. The motion for compassionate release filed by Defendant Toumani Touray Thomas (ECF No. 36) BE, and the same hereby IS, GRANTED after complete review of the motion on the merits;

2. The motions to seal (ECF Nos. 37, 42, 46, and 49) BE, and the same hereby ARE, GRANTED because the personal information contained in the submissions should remain confidential except as recited herein;

3. Mr. Thomas was convicted in this court of attempted interference with commerce by robbery and discharge of a firearm in furtherance of the attempted robbery and sentenced to 183 months

on October 14, 2010. He was on supervised release at the time of these offenses and received a 24-month consecutive sentence from the United States District Court for the District of Columbia as a result. His total sentence, then, is 207 months, or 17 years 3 months. His projected release date is June 4, 2023, with home detention eligibility as of December 4, 2022. He has been incarcerated continuously since October 16, 2009 (the date of this offense) although he received credit for a few prior periods in 2007, 2008, and earlier in 2009, presumably arising from the offense for which he was on supervised release.

The seriousness of the offense conduct and his criminal history are manifest and the initial sentence well deserved. His medical condition, the current COVID-19 public health situation, his conduct while in prison, and the changes in criminal law and sentencing jurisprudence, however, counsel in favor of some sentence reduction. The goals of punishment, deterrence, and protecting the public have already been met for the portion of the sentence imposed in this case, and the progress Mr. Thomas has made augurs well for the future. It is appropriate to reduce the sentence in this case to 160 months;

4. The defendant's sentence is reduced to 160 months imprisonment. If this reduction results in a time-served sentence,

this Order is stayed for up to fourteen days, for the verification of the defendant's residence and/or establishment of a release plan, to make appropriate travel arrangements, and to ensure the defendant's safe release. The defendant shall be released as soon as a residence is verified, a release plan is established, appropriate travel arrangements are made, and it is safe for the defendant to travel. There shall be no delay in ensuring travel arrangements are made. If more than fourteen days are needed to make appropriate travel arrangements and ensure the defendant's safe release, the parties shall immediately notify the court and show cause why the stay should be extended;

5. The defendant's previously imposed conditions of supervised release are unchanged;

6. The motion for home incarceration pending a decision on the motion to vacate (ECF No. 31) BE, and the same hereby IS, DENIED as unauthorized in part and DENIED as moot in part; and

7. The Clerk IS DIRECTED to transmit a copy of this Order to counsel of record.

/s/
DEBORAH K. CHASANOW
United States District Judge